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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/109,343	06/30/1998	SHANTIGRAM JAGANNATH	082771.P277	3430

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BLAKELY SOKOLOFF TAYLOR & ZAFMAN  
12400 WILSHIRE BOULEVARD, SEVENTH FLOOR  
LOS ANGELES, CA 90025

EXAMINER

LEE, CHI HO A

ART UNIT	PAPER NUMBER
2663	19

DATE MAILED: 09/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/109,343	JAGANNATH ET AL
	Examiner	Art Unit
	Andrew Lee	2663

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 30 June 2003.

2a) This action is **FINAL**.      2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-3,5,7-11,14,16,19,21 and 23-32 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-3,5,7-11,14,16,19,21 and 23-32 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____.
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.	6) <input type="checkbox"/> Other: _____.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, 5, 7-11, 14, 16, 19, and 21, 23-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aggarwal et al U.S. Patent Number 6,330,614 in view of AAPA (Admitted prior art) fig. 2.

Re Claims 1, 26, 27, Aggarwal et al teaches in fig. 4 a routing engine for routing packets (a processor) and forwarding table (a first table) supporting MPLS operations (See col. 8, lines 9-46) and VPN (See col. 9, lines 50-52), wherein a label (L1-L4) assigned is associated with a destination network address. Aggarwal et al fails to explicitly teach that the label includes a VPN-ID associated with the table for routing. It is apparent to one skilled when plurality of VPN is implemented over the same public network overlapping of address spaces may occur which would potentially route private information to many "same-address" destinations. AAPA teaches a router with a table associated with VPN ID. It is apparent to one skill that each VPN ID is inherently associated with some addressing space. One skilled in the art would have been motivated to incorporate the VPN ID into the label of the MPLS operations to alleviate the overlapping addressing space to particularly distinguish VPN clients. Furthermore,

by including the VPN ID into the label, the memory requirement for intermediate routers can be minimized. For instance, once edge router determines the particular VPN ID associated with source and destination address, the intermediate router only needs to determine rather the particular VPN ID and not source and destination address in the routing packet. Therefore, it would have been obvious to one ordinary skilled incorporate VPN ID into the MPLS operations in Aggarwal to distinguish over overlapping addressing space and to minimize memory space in the intermediate routers.

Re Claims 2, 3, 9, 10, 23-25, 27-32, refer to Claim 1, the router creates a database hierarchical topology wherein from routing table an forwarding table is created (See col. 5, lines 1-8), wherein during the MPLS operation, the labels includes the VPN information and forwarding label corresponding to the forwarding table 2.

Re Claim 5, see fig. 4, the output ports.

Re Claims 7, 14, 19, refer to Claim 1, wherein the forwarding label is discussed in Table 2.

Re Claims 8, 16, refer to Claim 1, wherein the AAPA teaches plurality of VPN-Ids. One skilled in the art would have been motivated to allocate tables for particular to the VPN ID to ease of retrieval.

Re Claim 21, refer to Claim 1, and See fig. 9 of '614 Patent, Edge router A (a first edge router) and Core routers in (WAN cloud) wherein the core routers (backbone router) forms the basis of VPN network and Edge router B (a second edge router).

***Response to Arguments***

3. Applicant's arguments with respect to claims 1-3, 5, 7-11, 14, 16, 19, 21, 23-32 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Lee whose telephone number is 703-305-1500. The examiner can normally be reached on Monday to Friday from 8:30AM to 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau Nguyen can be reached on 703-308-5340. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

AL

  
September 15, 2003

  
MIN JUNG  
PRIMARY EXAMINER